



General Assembly

February Session, 2012

Raised Bill No. 456

LCO No. 2607

02607_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

**AN ACT CONCERNING HARASSMENT, ELECTRONIC HARASSMENT
AND CYBERSTALKING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53a-183 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2012*):

3 (a) A person is guilty of harassment in the second degree when: (1)
4 By telephone, he addresses another in or uses indecent or obscene
5 language; or (2) with intent to harass, annoy or alarm another person,
6 he communicates with a person by telegraph or mail, by electronically
7 transmitting a facsimile through connection with a telephone network,
8 by computer network, as defined in section 53a-250, or by any other
9 form of written communication, in a manner likely to cause annoyance
10 or alarm; or (3) with intent to harass, annoy or alarm another person,
11 he makes a telephone call, whether or not a conversation ensues, in a
12 manner likely to cause annoyance or alarm.

13 (b) For the purposes of this section, such offense may be deemed to
14 have been committed either at the place where the [telephone call was
15 made,] communication originated or at the place where it was

16 received.

17 (c) The court may order any person convicted under this section to
18 be examined by one or more psychiatrists.

19 (d) Harassment in the second degree is a class C misdemeanor.

20 Sec. 2. (NEW) (*Effective October 1, 2012*) (a) A person commits
21 electronic harassment when such person, with intent to harass, annoy
22 or alarm another person, transmits, posts, displays or disseminates, by
23 or through an electronic communication device, radio, computer,
24 Internet web site or similar means, to any person, a communication,
25 image or information, which is based on the actual or perceived traits
26 or characteristics of that person, which:

27 (1) Places that person in reasonable fear of harm to his or her person
28 or property;

29 (2) Has a substantial and detrimental effect on that person's physical
30 or mental health;

31 (3) Has the effect of substantially interfering with that person's
32 academic performance, employment or other community activities or
33 responsibilities;

34 (4) Has the effect of substantially interfering with that person's
35 ability to participate in or benefit from any academic, professional or
36 community-based services, activities or privileges; or

37 (5) Has the effect of causing substantial embarrassment or
38 humiliation to that person within an academic or professional
39 community.

40 (b) Electronic harassment is a class A misdemeanor.

41 Sec. 3. (NEW) (*Effective October 1, 2012*) (a) A person commits
42 cyberstalking when such person:

43 (1) Uses in electronic mail or electronic communication any words
44 or language (A) threatening to inflict physical injury upon any person
45 or upon that person's child, sibling, spouse or dependent, or any
46 person living in the same household as that person, (B) threatening to
47 inflict damage upon the property of any person, or (C) for the purpose
48 of extorting money or other things of value from any person;

49 (2) Electronically mails or electronically communicates to another
50 person repeatedly, whether or not conversation ensues, for the
51 purpose of threatening, terrifying or harassing that person;

52 (3) Electronically mails or electronically communicates to another
53 person and knowingly makes any false statement concerning death,
54 injury, illness, disfigurement, indecent conduct or criminal conduct of
55 the person to whom the electronic mail or electronic communication is
56 sent or of any member of the person's family or household with the
57 intent to threaten, terrify or harass such person; or

58 (4) Knowingly permits an electronic communication device under
59 the person's control to be used for any purpose prohibited under this
60 section.

61 (c) For the purposes of this section, such offense may be deemed to
62 have been committed either at the place where the electronic mail or
63 electronic communication originated or at the place where it was
64 received.

65 (d) Cyberstalking is a class A misdemeanor.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>October 1, 2012</i> | 53a-183 |
| Sec. 2 | <i>October 1, 2012</i> | New section |
| Sec. 3 | <i>October 1, 2012</i> | New section |

Statement of Purpose:

To clarify that harassment in the second degree may be deemed to have been committed at the place where the telephonic or electronic communication originated, and establish the offenses of electronic harassment and cyberstalking.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]